

AMENDED IN SENATE AUGUST 28, 2003

CALIFORNIA LEGISLATURE—2003–04 REGULAR SESSION

ASSEMBLY BILL

No. 890

Introduced by Assembly Members ~~Wesson and Parra~~ Member
Wesson

February 20, 2003

~~An act to amend Section 66.5 of the Military and Veterans Code, relating to veterans. An act to amend Section 85316 of the Government Code, relating to the Political Reform Act of 1974, and declaring the urgency thereof, to take effect immediately.~~

LEGISLATIVE COUNSEL'S DIGEST

AB 890, as amended, Wesson. ~~California Veterans Board membership~~ *Political Reform Act of 1974.*

Existing law, the Political Reform Act of 1974, authorizes a candidate for elective state office to accept a contribution for an election after the date of the election only to the extent that the contribution does not exceed net debts outstanding from the election.

This bill would authorize an elected state officer serving his or her last permitted term of office to accept contributions after the date of the election provided that the contributions are used for the purpose of paying expenses associated with holding office, or for specified purposes relating to political campaigns.

The bill would also provide for the contribution limits applicable to these contributions, as specified.

Existing law makes a violation of the act subject to administrative, civil, and criminal penalties.

This bill would impose a state-mandated local program by imposing these penalties on persons who violate the provisions of this bill.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

The Political Reform Act of 1974, an initiative measure, provides that the Legislature may amend the act to further the act's purposes with a $\frac{2}{3}$ vote of each house and compliance with specified procedural requirements.

This bill, which would declare that it furthers the purposes of the act, would therefore require a $\frac{2}{3}$ vote.

This act would declare that it is to take effect immediately as an urgency statute.

Under existing law, the California Veterans Board consists of 7 members, all of whom are veterans. Three of the members are required to have specified training or expertise.

This bill would require one member of the board to be an accredited veterans service officer, as specified.

Vote: majority $\frac{2}{3}$. Appropriation: no. Fiscal committee: ~~no~~ yes. State-mandated local program: ~~no~~ yes.

The people of the State of California do enact as follows:

1 ~~SECTION 1. Section 66.5 of the Military and Veterans Code~~

2 *SECTION 1. Section 85316 of the Government Code is*
3 *amended to read:*

4 85316. A (a) *Except as provided in subdivision (b), a*
5 *contribution for an election may be accepted by a candidate for*
6 *elective state office after the date of the election only to the extent*
7 *that the contribution does not exceed net debts outstanding from*
8 *the election, and the contribution does not otherwise exceed the*
9 *applicable contribution limit for that election.*

10 *(b) Notwithstanding subdivision (a), an elected state officer*
11 *who is serving his or her last permitted term of office pursuant to*
12 *Section 2 of Article IV, Section 2 of Article V, or Section 11 of*
13 *Article V of the California Constitution, may accept contributions*
14 *after the date of the election to the office presently held for the*

insert

, and the contribution does not otherwise exceed the applicable contribution limit under sections 85301 and 85302

1 purpose of paying expenses associated with holding office ~~or for~~
2 ~~any purpose authorized pursuant to Article 4 (commencing with~~
3 ~~Section 89510) of Chapter 9.5.~~

4 ~~(c) A contribution received pursuant to this section shall be~~
5 ~~subject to the contribution limits, if any, that applied to the election~~
6 ~~for the office presently held.~~

. A contribution received pursuant to this subdivision shall be subject to the contribution limit of subdivision (a) of section 85301.

7 SEC. 2. No reimbursement is required by this act pursuant to
8 Section 6 of Article XIII B of the California Constitution because
9 the only costs that may be incurred by a local agency or school
10 district will be incurred because this act creates a new crime or
11 infraction, eliminates a crime or infraction, or changes the penalty
12 for a crime or infraction, within the meaning of Section 17556 of
13 the Government Code, or changes the definition of a crime within
14 the meaning of Section 6 of Article XIII B of the California
15 Constitution.

16 SEC. 3. The Legislature finds and declares that this bill
17 furthers the purposes of the Political Reform Act of 1974 within the
18 meaning of subdivision (a) of Section 81012 of the Government
19 Code.

20 SEC. 4. This act is an urgency statute necessary for the
21 immediate preservation of the public peace, health, or safety
22 within the meaning of Article IV of the Constitution and shall go
23 into immediate effect. The facts constituting the necessity are:

24 In order to clarify issues relating to contributions made to an
25 elective state officer after the date of his or her election, it is
26 necessary that this bill take effect immediately.

27 is amended to read:

28 ~~66.5. (a) One member of the board shall have substantial~~
29 ~~training or professional expertise in mortgage lending and real~~
30 ~~estate finance.~~

31 ~~(b) One other member of the board shall have substantial~~
32 ~~training or professional expertise in geriatrics, gerontology, or~~
33 ~~long-term care.~~

34 ~~(c) One member of the board shall have an accounting or~~
35 ~~auditing background, and preferably shall be a certified public~~
36 ~~accountant.~~

37 ~~(d) One member shall be an accredited veterans service officer~~
38 ~~as recognized by the Department of Veterans Affairs.~~

39 ~~(e) Nothing in this section may be construed to prohibit any~~
40 ~~member of the board from serving the remainder of his or her term.~~

- 1 ~~(f) The first vacancy in the membership of the board, that~~
2 ~~occurs after the enactment of the act adding this subdivision and~~
3 ~~does not require the training or expertise required by subdivision~~
4 ~~(a) or (b), shall be filled by the appointment of a member who~~
5 ~~meets the criteria required by subdivision (e).~~
6 ~~(g) The first vacancy in the membership of the board, that~~
7 ~~occurs after the enactment of the act adding this subdivision and~~
8 ~~does not require the training or expertise required by subdivision~~
9 ~~(a), (b), or (c), shall be filled by the appointment of a member who~~
10 ~~meets the criteria required by subdivision (d).~~